

REMARKS

Claims 1-28 were pending in this application.

Applicants cancel claims 14-16 in this paper.

Claims 1, 8, 17 and 24 are currently amended.

Technology Tutorial

Applicants believe that a brief discussion of the technology disclosed in this application and the cited references would assist the Examiner.

Rejection Under 35 U.S.C. § 102(b) of Claims 1-2, 4-9, 11-13, 17-18 and 20-24

The Examiner rejects **claims 1-2, 4-9, 11-13, 17-18, and 20-24** under 35 U.S.C. § 102(b) as anticipated by Tozzoli et al. (U.S. Patent 5,717,989).

We have amended the independent claims to include application of synchronization rules that control propagation of data among and editing of fields that are used in multiple documents. One use of the rules is to effectively limit the user's ability to override propagated data and prevent the user from generating fulfillment-related documents that would be rejected, due to their variation from agreed terms and conditions. Use of synchronization rules allows the system a rule-based criteria for deciding whether to permit data overrides.

The following amendment to claim 1 is typical:

"receiving and recording agreed conditions and instructions for payment;

"mapping fields of documents needed to evidence fulfillment to the data recording the conditions and instructions for payment and establishing synchronization rules for propagation of data among and editing of the mapped fields;

"applying the synchronization rules to propagate the data to the documents needed to evidence fulfillment using the mapping, wherein the synchronization rules depend on document preparation states of the agreed conditions and instructions for payment and the synchronization rules control a user's ability to override the propagated data fields; ..."

This amendment is supported by material that originally was incorporated by reference, which now is bodily incorporated in this application.

Claim 1

Claim 1 as amended includes the limitations:

setting authorizations for international shipment participants to enter, view and approve aspects of data that

record conditions and instructions for payment from the importer to the exporter,

track progress of the international shipment participants toward meeting the conditions for payment, and

allow the importer to electronically approve payment to the exporter by the importer's bank from the credit facility or demand deposit account;

receiving and recording agreed conditions and instructions for payment;

mapping of fields documents needed to evidence fulfillment to the data recording the conditions and instructions for payment and establishing synchronization rules for propagation of data among and editing of the mapped fields;

applying the synchronization rules to propagate the data to the documents needed to evidence fulfillment using the mapping, wherein the synchronization rules depend on document preparation states of the agreed conditions and instructions for payment and the synchronization rules control a user's ability to override the propagated data fields;

receiving documentation from the exporter or exporter's agent corresponding to fulfillment of the agreed conditions for payment, without need for bank evaluation of the documentation;

electronically initiating an approval to pay following evaluation by the importer or the importer's agent that the conditions for payment have been fulfilled, modified or waived, the approval to pay corresponding to the instructions for payment; and

receiving a status update confirming payment of the exporter.

These limitations are not found in Tozzoli.

Synchronization rules control the propagation of data among and editing of fulfillment-related documents. Controlling a user's ability to override data in propagated fields, for instance, distinguishes between data that is critical to documenting fulfillment and data that can helpfully be edited to improve comprehension of the transaction documents. There is nothing similar to synchronization rules in Tozzoli.

Therefore, claim 1 should be allowable over Tozzoli.

Claims 2-7

These dependent claims should be allowable over Tozzoli for at least the same reason as the independent claim from which they depend.

Claim 8

Independent claim 8 has been amended to include synchronization rule limitations:

setting authorizations for international shipment participants to view and edit aspects of data that

records conditions and instructions for payment from the importer to the exporter,

tracks progress of the international shipment participants toward meeting the conditions for payment, and

allows the importer to electronically approve payment of the exporter by the importer's bank from the credit facility or demand deposit account;

receiving and recording agreed conditions and instructions for payment to the exporter;

mapping fields of documents needed to evidence fulfillment to the data recording the conditions and instructions for payment and establishing synchronization rules for propagation of data among and editing of the mapped fields;

applying the synchronization rules to propagate the data to the documents needed to evidence fulfillment using the mapping, wherein the synchronization rules depend on document preparation states of the agreed conditions and instructions for payment and the synchronization rules control a user's ability to override the propagated data fields;

generating or uploading documentation corresponding to fulfillment of the conditions for payment, without need for bank evaluation of the documentation;

receiving notification that the importer's bank has been approved to pay the exporter, following evaluation by the importer or the importer's agent that the conditions for payment have been fulfilled, modified or waived, the approval to pay corresponding to the instructions for payment; and

receiving a status update confirming transmittal of payment.

These limitations are not found in Tozzoli.

Again, synchronization rules control the propagation of data among and editing of fulfillment-related documents. Controlling a user's ability to override data in propagated

fields, for instance, distinguishes between data that is critical to documenting fulfillment and data that can helpfully be edited to improve comprehension of the transaction documents. There is nothing similar to synchronization rules in Tozzoli.

Therefore, claim 8 should be allowable over Tozzoli.

Claims 9, and 11-13

These dependent claims should be allowable over Tozzoli for at least the same reason as the independent claim from which they depend.

Independent Claims 17 and 24

Independent claims 17 and 24 also have been amended to include synchronization rule limitations. Therefore, independent claims 17 and 24 should be allowable over Tozzoli.

Claims Depending from 17 and 24

These dependent claims should be allowable over Tozzoli for at least the same reason as the independent claims from which they depend.

Applicants respectfully submit that claims 1-2, 4-9, 11-13, 17-18, and 20-24 should be allowable over Tozzoli.

Rejection Under 35 U.S.C. § 103(a) of Claims 25-28

The Examiner rejects **claims 25-28** under 35 U.S.C. § 103(a) as unpatentable over Tozzoli in view of Arazi et al. (U.S. 2006/0173693 A1).

Claim 25 includes the limitations:

wherein the conditions and instructions for payment are selected from a plurality of INCO terms and specifying the conditions and instructions for payment includes choosing from a list of INCO terms.

Claims 26-28 include the limitations:

wherein the conditions and instructions for payment are selected from a plurality of INCO terms and specifying the conditions and instructions for payment includes choosing from a list of INCO terms.

These limitations are not found in Tozzoli in view of Arazi.

Neither Tozzoli nor Arazi use INCO terms in the manner claimed or for the purpose evident from the claim language. Tozzoli admittedly does not use INCO terms. Arazi uses INCO terms [0406] to determine the list of processors to display on the screen (compare FIGS. 51 and 52) by associating INCO term and location data with a

particular transaction. The processors in the list are amounts used to calculate a final price, such as "insurance, interest, levy charge, bank charges, customs duty" etc. for an FOB transaction in FIG. 52. Arazi does not use INCO terms to set up fulfillment conditions. Adding Arazi to Tozzoli would add another feature for providing pricing information; the combination would not read on these claims.

The Examiner's motivation does not apply and does not justify combining the references in a way that introduces features not found in either reference. The Examiner asserts that ambiguity could be avoided by using INCO terms. There is no room for ambiguity in Tozzoli's system before modification, because Tozzoli relies on computer code to recognize fulfillment. Only unambiguous conditions and coding of steps taken can be processed automatically by computer code. There is no suggestion in Tozzoli that the templates referred to introduce ambiguity that invites refinement. Therefore, the Examiner's rationale does not apply. Moreover, combining the references to match our claim would involve modifying both references to include a feature not found in either reference, which is not covered by the Examiner's statement of motivation.

Therefore, claims 25-28 should be allowable over Tozzoli in view of Arazi.

CONCLUSION

Applicants respectfully submit that the pending claims are now in condition for allowance and thereby solicit acceptance of the claims as now stated.

Applicants would welcome an interview, if the Examiner is so inclined. The undersigned can ordinarily be reached at his office at (650) 712-0340 from 8:30 a.m. to 5:30 p.m. PST, Monday through Friday, and can be reached at his cell phone at (415) 902-6112 most other times.

Fee Authorization. The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-0869 (TRDB 1006-1).

Respectfully submitted,

Dated: 13 February 2008

/Ernest J. Beffel, Jr./
Ernest J. Beffel, Jr.
Registration No. 43,489

Haynes Beffel & Wolfeld LLP
P.O. Box 366
Half Moon Bay, CA 94019
Telephone: (650) 712-0340
Facsimile: (650) 712-0263